

JUDGE KEENAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA : INFORMATION

- v. -

:

11 Cr. (JFK)

LUCAS TOWNSEND HENDERSON, :

Defendant. :

- - - - -x

COUNT ONE
(Wire Fraud)

11 CRIM 871

USDC SDNY
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DATE FILED: **OCT 12 2011**

The United States Attorney charges:

1. From at least in or about July 2010, up to and including in or about March 2011, in the Southern District of New York and elsewhere, LUCAS TOWNSEND HENDERSON, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire and radio communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, HENDERSON participated in a scheme to defraud coupon issuers and retailers through the creation and subsequent use of counterfeit online coupons, and, in furtherance of that scheme, HENDERSON caused the transmission of several of those

counterfeit coupons over the Internet from Rochester, New York to an individual located in Springfield, Illinois.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT TWO

(Trafficking in Counterfeit Goods)

The United States Attorney further charges:

2. From at least in or about July 2010, up to and including in or about March 2011, in the Southern District of New York and elsewhere, LUCAS TOWNSEND HENDERSON, the defendant, intentionally and knowingly did traffic and attempt to traffic in goods and services, and did knowingly use a counterfeit mark on and in connection with such goods and services, and did intentionally traffic and attempt to traffic in labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation and packaging of a type and nature, knowing that a counterfeit mark had been applied thereto, the use of which was likely to cause confusion, to cause mistake, and to deceive, to wit, HENDERSON created and thereafter disseminated over the Internet various online coupons bearing counterfeit marks, including the "Powered by SmartSource" slogan and a distinctive border, both of which are trademarks that have been registered with the United States Patent and Trademark Office by News America Marketing, a subsidiary of News Corporation, which is based in New York, New York.

(Title 18, United States Code, Sections 2320(a)(1) and 2.)

FORFEITURE ALLEGATION
(As to Count One)

3. As a result of committing the wire fraud offense in violation of Title 18, United States Code, Sections 1343 and 2 alleged in Count One of this Information, LUCAS TOWNSEND HENDERSON, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the offense alleged in Count One of this Information.

Substitute Asset Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value;

or

- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982 and Title 21, United States Code,

Section 853(p), to seek forfeiture of any other property of LUCAS TOWNSEND HENDERSON, the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853.)

FORFEITURE ALLEGATION

(As to Count Two)

5. As a result of committing the trafficking in counterfeit goods offense alleged in Count Two of this Information, LUCAS TOWNSEND HENDERSON, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, any property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the offense alleged in Count Two of this Information.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of LUCAS TOWNSEND HENDERSON, the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)



PREET BHARARA *lt*
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INFORMATION

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(18 U.S.C. § 1343, 2320(a)(1) and 2.)

PREET BHARARA
United States Attorney.

October 12, 2011 (WR): Filed Information and
Waiver of Indictment.
— Keenan, J.